

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alfred S. Despres III et al.

Serial No.:

09/901,310 07/09/2001

Filing Date:

IMPLANT WITH COMPOSITE COATING

Title:
Group Art Unit:

3738

Examiner:

Suzette J. Jackson

Attorney's Docket No.:

HAYES-707 CON

**Commissioner for Patents** 

<sup>5</sup> P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby make the following documents of record in the above-identified application:

#### **U.S. Patents**

- (1) U.S. Patent No. 3,855,638 issued 12-24-1974 to Pilliar
- (2) U.S. Patent No. 4,818,559 issued 04-04-1989 to Hama et al.
- (3) U.S. Patent No. 5,133,771 issued 07-28-1992 to Duncan et al.
- (4) U.S. Patent No. 5,441,537 issued 08-15-1995 to Kenna
- (5) U.S. Patent No. 5,443,523 issued 08-22-1995 to Mikhail
- (6) U.S. Patent No. 5,569,308 issued 10-29-1996 to Sottosanti
- (7) U.S. Patent No. 5,603,338 issued 02-18-1997 to Beaty
- (8) U.S. Patent No. 5,665,118 issued 09-09-1997 to LaSalle et al.
- (9) U.S. Patent No. 5,658,338 issued 08-19-1997 to Tullos et al.
- (10) U.S. Patent No. 5,665,121 issued 09-09-1997 to Gie et al.
- (11) U.S. Patent No. 5,650,108 issued 07-22-1997 to Nies et al.
- (12) U.S. Patent No. 5,702,448 issued 12-30-1997 to Buechel et al.
- (13) U.S. Patent No. 5,723,011 issued 03-03-1998 to Devanathan et al.
- (14) U.S. Patent No. 5,711,763 issued 01-27-1998 to Nonami et al.
- (15) U.S. Patent No. 5,876,453 issued 03-02-1999 to Beaty
- (16) U.S. Patent No. 5,868,796 issued 02-09-1999 to Buechel et al.
- (17) U.S. Patent No. 5,876,454 issued 03-02-1999 to Nanci et al.
- (18) U.S. Patent No. 6,008,432 issued 12-28-1999 to Taylor

### Foreign Patents

(19) PCT International Patent Application No. WO 97/16137, published 05-09-1997.

Copies of the above documents, which are listed on the accompanying Form Were previously submitted to, or cited by, the Office in U.S. Application Serial Number 09/079,502. Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97 and 1.98. If for any reason the Examiner considers otherwise, it is respectfully requested that the undersigned be contacted by the Examiner by telephone in order that any deficiencies may be expeditiously remedied.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-	Respectfully submitted,  James A. Sheridan 3/5/04
March 5, 2004  (DATE OF DEPOSIT)  James A. Sheridan  (NAME OF ATTORNEY)  (SIGNATURE)  March 5, 2004	James A. Sheridan Registration No. 43,114 Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02154 Tel. (781) 290-0060
(DATE OF SIGNATURE)	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known				
Application Number	09/901,310			
Filing Date 07/09/2001				
First Named Inventor	Alfred S: Despres III			
Group Art Unit	3738			
Examiner Name	Suzette J. Jackson			
Attorney Docket Number	HAYES-707 CON			

			U.S. PATENT DOC	JMENTS	
Examiner Initials	Cite No.1	U.S. Patent Document  Number  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,855,638	Pilliar	12-24-1974	
		4,818,559	Hama et al.	04-04-1989	
		5,133,771	Duncan et al.	07-28-1992	
		5,441,537	Kenna	08-15-1995	
		5,443,523	Mikhail	08-22-1995	
		5,569,308	Sottosanti	10-29-1996	
		5,603,338	Beaty	02-18-1997	
		5,665,118	LaSalle et al.	09-09-1997	
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		5,876,453	Beaty	03-02-1999	
		5,868,796	Buechel et al.	02-09-1999	
		5,876,454	Nanci et al.	03-02-1999	
		6,008,432	Taylor	12-28-1999	

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*		Foreign Patent Document			Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
		WO	97/16137		B1141	05-09-1997		
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Examiner	Date	
Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.